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00167/174001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE A 20

Applicant : Gene P. DiPoto et al. Art Unit: 3309
Serial No.: 08/509, 966 Examiner: Shai
Filed : August 1, 1995
Title : SUTURE ANCHOR AND DRIVE ASSEMBLY

Allowed : April 29, 1997
Batch No. : M43

Commissioner of Patents and Trademarks
Washington, DC 20231

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RESPONSE TO NOTICE OF ALLOWABILITY

The purpose of this response is to confirm a telephone conference held today between Examiner Shai and the undersigned attorney for the applicants.

During the discussion, the examiner stated that the notice of allowability mailed on May 7, 1997 incorrectly indicated that a substitute oath or declaration is required. Examiner Shai agreed that the originally-filed declaration is sufficient and that a substitute oath or declaration is not needed.

Examiner Shai speculated that she may have had in mind requiring applicants to submit new formal drawings. (The box for indicating this requirement is located immediately below the box that the examiner had checked regarding the substitute oath or declaration.) For the record, applicants note that formal drawings were filed in response to an objection from the draftsman that accompanied the first examiner's action (the

Date of Deposit May 16, 1997
I hereby certify under 37 CFR 1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

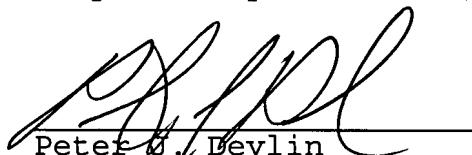
Dawn A Murphy

letter of transmittal for the drawings bears a certificate of mailing dated May 10, 1994). In addition, the notice of allowability indicates that formal drawings filed on May 24, 1994 are acceptable. If new formal drawings are in fact needed, applicants request that a new notice of allowability with this requirement be issued.

Please apply any charges or credits to deposit account no. 06-1050.

Respectfully submitted,

Date: 5/14/97



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